

**TOWN OF UNION
LOCAL DEVELOPMENT CORPORATION
MINUTES
THURSDAY, SEPTEMBER 21, 2017**

The Town of Union Local Development Corporation met for a regular meeting on Thursday, September 21, 2017 at the Town of Union Office Building, located at 3111 East Main Street, Endwell, NY 13760.

I. THE MEETING WAS CALLED TO ORDER AT 8:03 A.M.

MEMBERS PRESENT: Stephen Trichka, Diane Julian, Robert Corwin, Mary O'Malley-Trumble

MEMBERS ABSENT: Gary Leighton, James Peduto

OTHERS PRESENT: Rosemarie Pope, Esq. (LDC Board Attorney)

STAFF PRESENT: Joseph Moody (LDC Director), Robin Shimer (Admin. Asst.)

II. PRESIDENT'S REMARKS

President Trichka shared welcoming comments with Board members and attendees.

III. DIRECTOR'S REMARKS

Director Moody referenced the various topics listed on the Board meeting agenda.

IV. APPROVAL OF THE MINUTES

Minutes of the regular LDC Board Meeting of July 20, 2017 were reviewed and approved.

Motion: Diane Julian

Motion 2nd: Bob Corwin

Motion: To approve the minutes of the regular LDC Board Meeting held on July 20, 2017, as written.

Vote: All yes, motion approved [4 - Yes, 0 - No, 2 - Absent].

V. OLD BUSINESS

- A. Mr. Moody initiated conversation about Jewels of Java, LLC's Filing of Pendency and Notice of Commencement of Foreclosure Action. Mr. Moody then invited Counselor Pope's insight regarding the status of response from loan recipient Jewels of Java to LDC communications. Counselor Pope updated the Board, including notation of non-response by Jewels of Java to LDC communications and potential subsequent actions by the Board. Following discussion among Board members, Counselor Pope and Mr. Moody, and as per the recommendation

of Counselor Pope, President Trichka requested a motion to approve Counselor Pope's pending implementation of LDC appearance in cross-claim action as the next step toward achieving recovery from Jewels of Java, LLC.

Motion: Mary O'Malley-Trumble

Motion 2nd: Bob Corwin

Motion: To approve LDC appearance in cross-claim action as the Board's next step toward achieving recovery from Business Assistance Loan Program recipient Jewels of Java, LLC.

Vote: All yes, motion approved [4 - Yes, 0 - No, 2 - Absent].

- B. Mr. Moody, Board members and Counselor Pope discussed the status of and potential agreement as to repayment options regarding Unforgettable Parties. Mr. Moody said Counselor Pope has discussed repayment with the owner of Unforgettable Parties. Mr. Moody suggested payment in October of the regular monthly amount (\$568.50) plus one-half of the past due balance (approximately \$2,800.00 of about \$5,600.00). Counselor Pope said the Unforgettable Parties owner has offered to pay \$1,000.00 of the past due amount, followed by monthly payments combining the regular monthly amount (\$568.50) with an amount equal to the quotient of the past amount due divided by the number of months remaining on the loan repayment schedule. Mr. Moody noted that, in addition to the owner, recovery can be sought from the other loan guarantor. Ms. O'Malley-Trumble asked if the owner is still in business. Mr. Moody and Ms. Pope affirmed the business is still operating. Mr. Trichka asked for a timeframe definition of the drawdown period and the term of the loan. Mr. Moody said the drawdown time is six months and the final payoff date is September, 2018.

Mr. Moody reaffirmed a viable monthly repayment proposal would be payments for the next six months (starting in October, 2017) that combine the regular monthly payment amount (\$568.50) with \$1,000 of the balance of the past amount due (about \$5,600.00) until the past amount due is paid, followed by payments at the regular monthly amount of \$568.50 until the conclusion of the loan period in September, 2018. Mr. Corwin asked about the present location of Unforgettable Parties. Mr. Moody said the current site is on Hooper Road. Counselor Pope suggested, in addition to establishing a repayment agreement with the terms outlined by Mr. Moody, the LDC also request the signing of a Confession of Judgment by the Unforgettable Parties personal guarantors. Board members concurred with Mr. Moody's and Ms. Pope's recommendations. Vice-President Julian inquired about the total amount of the outstanding balance. Mr. Moody said the amount is \$11,000-\$12,000. Ms. Julian asked about LDC contact with both of the loan guarantors. Counselor Pope stated she would present the Board's desired repayment plan to both Unforgettable Parties personal guarantors, and then share their response with the Board. She also said both guarantors would be presented

with a request to sign a Confession of Judgment. Mr. Moody requested flexibility in potentially accepting from the loan guarantors an alternative reply proposal that closely mirrors the LDC's proposed repayment request.

- C. Counselor Pope provided Board members with an update on Coco Mojo, LLC subsequent to the LDC seeking recovery via garnishment of wages. She noted the whereabouts of one of the principals is unknown. That principal received notice of the income execution and left his job. Counselor Pope stated the judgement is applicable for a 10-year period, and therefore will be enforced within that timeframe upon the known whereabouts of the principal.
- D. Mr. Moody presented for Board consideration of adoption the Town of Union's Information Technologies (I.T.) Policies, as implemented by the Town Board on June 7, 2017. The I.T. Policies are comprised of six categories of policies. One of those policies, the Online Banking Policy, was amended and adopted at the LDC Board's July 20, 2017 meeting. The five other categories – Breach Notification Policy, Mobile Computing and Storage Device Policy, Password Policy, Personal, Private and Sensitive Information Policy, and Wireless Security Policy – were deferred at the July 20 meeting for consideration at the next LDC Board meeting. After discussion of the policies by Board members at the September 21, 2017 Board meeting, President Trichka requested a motion to adopt as LDC policies the five noted categories of Town of Union Information Technologies Policies.

Motion: Mary O'Malley-Trumble

Motion 2nd: Diane Julian

Motion: To adopt as Local Development Corporation policies the Town of Union Information Technologies Policies implemented by the Town Board on June 7, 2017. Those policies include Breach Notification Policy, Mobile Computing and Storage Device Policy, Password Policy, Personal, Private & Sensitive Information Policy, and Wireless Security Policy.

Vote: Motion approved [4 - Yes, 0 - No, 2 - Absent].

VI. NEW BUSINESS

- A. Mr. Moody requested Board authorization for his signing of the \$5,000 Grant New York State Community Projects Appropriation #TM61297 contract's Letter of Agreement and the Disclosure & Accountability Certificate. Board discussion included Mr. Trichka's query regarding the grant's adoption date, Ms. Julian's inquiry about potential need for special insurance, and Mr. Moody's replies to those questions. Following the completion of further Board discussion, Mr. Trichka requested a motion authorizing Director Moody to sign the grant contract's Letter of Agreement and the Disclosure & Accountability Certificate.

Motion: Diane Julian
Motion 2nd: Mary O'Malley-Trumble
Motion: To authorize Town of Union Economic Development Director Joseph Moody to sign the \$5,000 Grant New York State Community Projects Appropriation #TM61297 Contract's Letter of Agreement and the Disclosure & Accountability Certificate.
Vote: Motion approved [4 - Yes, 0 - No, 2 - Absent].

VII. OTHER BUSINESS

- A. Mr. Moody shared with Board members and Counselor Pope insight about work being performed to prepare annual LDC budget material for filing with the New York State Authority Budget Office. The deadline for submitting such material is November 1, 2017.
- B. Mr. Moody initiated discussion about seeking a new LDC Board member to fill the position of former LDC Board member Kay Adams. Board members will now research potential candidates and share their insight at the next Board meeting.
- C. The topic of potentially offering an LDC grant program was presented by Mr. Moody. Mr. Moody, Board members and Counselor Pope discussed various aspects of the program. Those aspects included the number, financial amount, time period, rate of return, and defining qualification criteria of such grant funds. Competitive status, performance measurements, a forgiveness period, awarding up to \$10,000 per grant, and use of a Preliminary Proposal Summary sheet may comprise key aspects and guidelines of a grant program.
- D. Mr. Moody shared an overview of LDC-related work topics and loan applicants, encompassing such businesses and projects as Original Italian Pizza, Renaissance Realty and Management, The Binghamton Brewery, \$20 Million Upstate Revitalization Initiative application, Taylor Irene Properties loan closing, Spathi Group loan closing, Cider Mill Playhouse, Endicott Kmart projects, the former IBM Country Club and former BAE sites, and the Chugnut Trail Project.

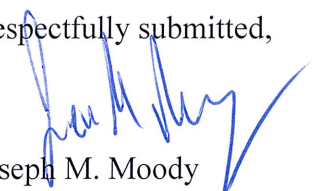
VIII. ADJOURNMENT

- A. President Trichka asked if there were additional topics for discussion. Upon affirmation by Board members, Mr. Moody and Counselor Pope of no further discussion issues, Mr. Trichka called for a motion to adjourn the meeting.

Motion: Diane Julian
Motion 2nd: Mary O'Malley-Trumble
Motion: To adjourn the meeting of September 21, 2017.
Vote: Motion approved [4 - Yes, 0 - No, 2 - Absent].

The meeting was adjourned at 9:23 a.m.

Respectfully submitted,



Joseph M. Moody
Director